

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS
WESTERN DIVISION

In re
New England Pre School Associates, Inc.
Debtor(s)

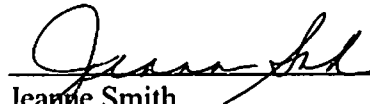
Chapter 11
No. 09-

MOTION FOR AUTHORITY TO EMPLOY COUNSEL TO DEBTOR

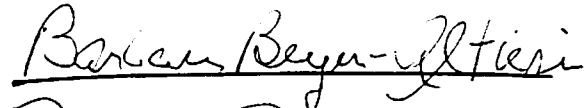
1. The Debtor filed for protection under Chapter 11 of the U.S. Bankruptcy Code on September 15, 2009.
Barbara Beyer Altieri +
2. Jeanne Smith, the Registered Agent of New England Pre School Associates, Inc. wishes to Employ, James L. O'Connor, Jr, Esq. and the law firm of Nickless and Phillips, PC to represent the Debtor in all matters related to the proceeding, to prepare and file pleadings in this Court, and in general to act on the Debtor's behalf in this proceeding.
4. Attorney O'Connor represents no interest adverse to the interest of the estate, nor does he represent any other entity connected to or with this estate.
5. Compensation for counsel will be as submitted and allowed by this Honorable Court based upon the hourly rates presently ranging from \$155.00 to \$275.00 per hour for Counsel and \$50.00 to \$125.00 for Paralegals.

WHEREFORE Jeanne Smith, Registered Agent of New England Pre School Associates, Inc., respectfully requests that James L. O'Connor, Jr., Esq., and the law firm of Nickless and Phillips, PC be appointed as Counsel to the Debtor upon the terms and conditions as set forth in this Motion for the stated purpose.

Dated: 9-14-9



Jeanne Smith



BARBARA BEYER-ALTIERI

CERTIFICATE OF SERVICE

I, James L. O'Connor, Jr., Esq., do hereby certify that I served a copy of the within pleading by mailing same this day postage prepaid to the parties indicated on the attached service list.

Dated: 9/15/09

/S/ James L. O'Connor, Jr.
James L. O'Connor, Jr.

SERVICE LIST

United States Trustee*
446 Main Street
Worcester, MA 01608

New England Pre School
Associates, Inc.
96 Medway Road
Milford, MA 01757
Debtor

IRS
Special Procedures Staff
PO Box 9112
Stop 20800
Boston, MA 02203

IRS
PO Box 21126
Philadelphia, PA 19114
(202) 622-4277 fax

MA Department of Revenue
Bankruptcy Unit
PO Box 9564
Boston, MA 02114-9564
(617) 626-2299 fax

*Receives Electronic Notice

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AFFIDAVIT OF PROPOSED COUNSEL

The undersigned hereby states under oath:

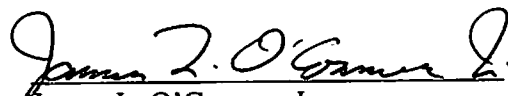
- (1) I hereby represent that neither I nor any member of my firm holds or represents any interest adverse to the estate of the above-named debtor.
- (2) My and my firm's connections with the debtor, any creditor, or other party in interest, their respective attorneys and accountants are as follows:

None

I hereby represent that I and each member of my firm is a "disinterested person" as that term is defined in 11 U.S.C. Section 101(14).

- (3) I hereby represent that I have agreed not to share with any person (except members of my firm) the compensation to be paid for the services rendered in this case.
- (4) I have received a retainer in this case in the amount of \$18,961.00, which sum, upon information and belief, was generated by the debtor from its principal(s).
- (5) I shall amend this statement immediately upon my learning that (A) any of the within representations are incorrect or (B) there is any change of circumstances relating thereto.
- (6) I have reviewed the provisions of MLBR 2016-1.

Signed under the pains and penalties of perjury this 15th day of September 2009.


James L. O'Connor, Jr.

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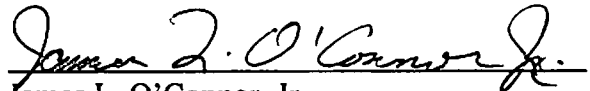
DECLARATION RE: ELECTRONIC FILING

PART I- DECLARATION OF ATTORNEY

I, James L. O'Connor, Jr., hereby declare(s) under penalty of perjury that all of the information contained in my Affidavit, filed electronically, is true and correct. I understand that this DECLARATION is to be filed with the Clerk of Court electronically concurrently with the electronic filing of the Document. I understand that failure to file this DECLARATION may cause the Document to be struck and any request contained or relying thereon to be denied, without further notice.

I further understand that pursuant to the Massachusetts Electronic Filing Local Rule (MEFLR)-7(a) all paper documents containing original signatures executed under the penalties of perjury and filed electronically with the Court are the property of the bankruptcy estate and shall be maintained by the authorized CM/ECF Registered User for a period of five (5) years after the closing of this case.

Dated: 9/15/09


James L. O'Connor, Jr.